



# Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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## Working Group on the Smuggling of Migrants

Vienna, 11 and 12 July 2024

### Annotated provisional agenda

#### Provisional agenda

1. Organizational matters:
  - (a) Opening of the meeting;
  - (b) Adoption of the agenda and organization of work.
2. Preventing and combating the smuggling of migrants through international cooperation while addressing its root causes, in line with the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.
3. Protection and assistance measures for smuggled migrants.
4. Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.
5. Other matters.
6. Adoption of the report.

#### Annotations

##### 1. Organizational matters

###### (a) Opening of the meeting

The eleventh meeting of the Working Group on the Smuggling of Migrants will be opened on Thursday, 11 July 2024, at 10 a.m.

###### (b) Adoption of the agenda and organization of work

In its resolution 7/1, entitled “Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto”, the Conference of the Parties decided, *inter alia*, that the Working Group on the Smuggling of Migrants would be a constant element of the Conference, forwarding its reports and recommendations to the Conference, and encouraged the Working Group to consider meeting on an annual basis, as needed, and to hold its meetings consecutively with other working groups of the Conference, in order to ensure the effective use of resources.



The proposed organization of work (see annex) was prepared in accordance with Conference resolution 7/1, in order to enable the Working Group to perform its mandated functions within the time and according to the conference services available to it. The resources available to the Working Group will permit the holding of four plenary meetings over two days, with interpretation into the six official languages of the United Nations.

On 2 June 2023, the extended Bureau of the Conference of the Parties approved the schedule of meetings of the working groups for 2024, including the dates for the eleventh meeting of the Working Group, to be held in Vienna on 11 and 12 July 2024. On 19 December 2023, the secretariat submitted proposed agenda items to the extended Bureau, which were approved on 22 January 2024 by means of a silence procedure.

## **2. Preventing and combating the smuggling of migrants through international cooperation while addressing its root causes, in line with the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

Under the agenda item, the Working Group may wish to discuss practical challenges in preventing and combating the smuggling of migrants through international cooperation while addressing the root causes of such smuggling. The Working Group may wish to facilitate discussion and exchange of national experiences, challenges and emerging practices regarding this topic. Although there has been limited success at the global level with regard to preventing and combating the smuggling of migrants, the detection and dismantling of some large smuggling networks along migration routes, sometimes spanning continents, along with the increasing sharing of information and cooperation among law enforcement agencies and prosecutors from countries along smuggling routes, has led to successes in identifying the *modi operandi* of smugglers while also protecting the rights of smuggled migrants.

Delegations may wish to exchange experiences, specific challenges and best practices, and thereby identify and disseminate examples of effective international cooperation, including South-South and transcontinental cooperation. Delegations could focus on elements related to the prevention of migrant smuggling and exchange information on the root causes pushing people to migrate with the support of smuggling networks. Delegations might also focus on the actual impact of factors contributing to migration, such as economic hardship, conflict, violence and climate-induced catastrophes, thereby providing all States with a better understanding of measures taken to address these issues, as well as the opportunity to discuss effective measures to eliminate the demand for the services of smugglers. In addition, the Working Group could examine ways to improve international cooperation in the tracing of financial assets related to smuggling, as well as in the investigation of elements of the crime that are carried out online.

### **Documentation**

Background paper prepared by the Secretariat on preventing and combating the smuggling of migrants through international cooperation while addressing its root causes, in line with the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto ([CTOC/COP/WG.7/2024/2](#))

## **3. Protection and assistance measures for smuggled migrants**

Under the agenda item, the Working Group may wish to further discuss at an expert level the protection of smuggled migrants from violence, discrimination and other violations of their rights, as well as their effective access to justice and legal assistance. While the issue of the protection of smuggled migrants has been raised at previous meetings at which the Working Group discussed criminal justice responses, in particular prosecutions and investigations, it has not been a dedicated topic of focus since the Working Group adopted the practice of prioritizing specific themes for

consideration at its meetings. In the hands of smugglers, migrants are often exposed to circumstances that endanger their physical and mental integrity. Beyond loss of life, frequently reported crimes faced by smuggled migrants include sexual and gender-based violence, theft, kidnapping for ransom, robbery, extortion and trafficking in persons. Unaccompanied children are particularly exposed to exploitation, violence and abuse, while women and girls are likely to suffer sexual and gender-based violence en route.

Delegations may wish to share and discuss measures to mitigate these risks, for example, vulnerability screenings and measures to ensure that smuggled migrants intercepted by law enforcement or immigration officials have access to information about their rights. Moreover, research by the United Nations Office on Drugs and Crime shows that a large share of smuggled migrants who are victims of crime do not access justice measures or systems. Addressing this topic will allow States to share experiences, challenges and good practices in enabling the protection and assistance of smuggled migrants and ensuring their full and effective access to justice.

#### **Documentation**

Background paper prepared by the Secretariat on protection and assistance measures for smuggled migrants ([CTOC/COP/WG.7/2024/3](#))

#### **4. Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

According to paragraph 12 of the procedures and rules for the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Conference and its working groups are to add matters pertaining to the review process to their agendas as an item consistent with their areas of expertise and without prejudice to their respective existing mandates. Taking into consideration the progressive nature of the review, the content of the agendas and scheduling of the meetings of the working groups will be decided by the Conference or the extended Bureau in a timely manner. In order to ensure that the working groups may contribute to the Mechanism while also carrying out their respective existing mandates, each working group should dedicate no more than one agenda item per session to matters pertaining to the functioning of the review process. Pursuant to paragraphs 13 and 43 of the procedures and rules, discussions pertaining to country reviews will be undertaken in the relevant working groups, and the working groups are to draw upon the lists of observations generated from country reviews in preparing their meetings and take them into account when proposing generally applicable recommendations to the Conference.

The agenda item on matters pertaining to the Implementation Review Mechanism was proposed accordingly. When the proposal was prepared by the secretariat, no lists of observations generated from the country reviews or summaries of such lists had been finalized. Therefore, the secretariat was not in a position to give the proposed agenda item a thematic focus. Under the agenda item, the Working Group will be provided with an update by the secretariat on the developments and progress of the Mechanism, which will give States parties an opportunity to share their experiences so far.

Furthermore, pursuant to paragraph 38 of the procedures and rules, the lists of observations and their summaries that have been finalized before the convening of the Working Group are to be made available to it as a conference room paper, unless, in exceptional circumstances, the State party under review decides to keep some parts of the list confidential.

#### **Documentation**

Background paper prepared by the Secretariat on the status of the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention

against Transnational Organized Crime and the Protocols thereto  
([CTOC/COP/WG.4/2024/4-CTOC/COP/WG.7/2024/4](#))

**5. Other matters**

As no issues to be raised under agenda item 5 have come to the attention of the secretariat, no documentation regarding the item is currently foreseen.

**6. Adoption of the report**

The Working Group is expected to adopt a report on its meeting, the draft of which will be prepared by the secretariat.

## Annex

## Proposed organization of work

<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
<b>Thursday, 11 July 2024</b>		
10 a.m.–1 p.m.	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
	2	Preventing and combating the smuggling of migrants through international cooperation while addressing its root causes, in line with the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto
3–6 p.m.	2	Preventing and combating the smuggling of migrants through international cooperation while addressing its root causes, in line with the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto ( <i>continued</i> )
	3	Protection and assistance measures for smuggled migrants
<b>Friday, 12 July 2024</b>		
10 a.m.–1 p.m.	3	Protection and assistance measures for smuggled migrants ( <i>continued</i> )
	4	Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto
3–6 p.m.	5	Other matters
	6	Adoption of the report